

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

FILED
07 OCT -3 AM 10:12
U.S. DISTRICT COURT OF CALIFORNIA

UNITED STATES OF AMERICA)

VS.)

Tomas Joseph Bruno, Sr.)

Magistrate Judge Case No: R

DEPUTY
'07 MJ 2361

COMPLAINT FOR VIOLATION OF:

21 U.S.C. S 952 & 960

Importation of a Controlled Substance

The undersigned complainant being duly sworn states:

COUNT ONE

On October 2, 2007, within the Southern District of California, Tomas Joseph Bruno, Sr. did knowingly and intentionally import approximately 103.05 kilograms (226.71 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Signature of Complainant
Special Agent, U.S. Immigration and
Customs Enforcement

Sworn to before me and subscribed in my presence this 3rd day of October, 2007.



UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

I, Special Agent Estela Clark, declare under penalty of perjury, the following is true and correct:

At approximately 4:30 a.m., on October 2, 2007, Customs and Border Protection Officer (CBPO) Stacey Smithson with assigned Human and Narcotic Detector Dog "Echo" (CF-09) alerted positively to narcotics in a toolbox located in the bed of the Toyota Tundra pick-up truck with California license 4J73739.

At approximately 4:39 a.m., on October 2, 2007, Tomas Joseph BRUNO entered the United States from the Republic of Mexico via the San Ysidro (California) Port of Entry (POE). BRUNO was the driver and sole occupant of a 1992 red Toyota Tundra pickup bearing California license plate 4J73739.

CBPO Terence Gibbs was performing primary operations when he was approached by BRUNO. CBPO Gibbs approached the vehicle and made contact with BRUNO. CBPO Gibbs received two negative Customs declarations from BRUNO. BRUNO was escorted into the Security Office and the vehicle was taken to the Secondary Lot for further inspection.

On October 2, 2007 at approximately 4:50 a.m., CBPO Jesus Jacobo was assigned to conduct a 7-point inspection of the vehicle. CBPO Jacobo discovered packages concealed in the toolbox of the truck. CBPO Jacobo removed 18 packages from the vehicle with a total weight of 103.05 Kilograms (226.71 pounds). CBPO Jacobo probed a random package and removed a green leafy organic substance, which field-tested positive for marijuana.

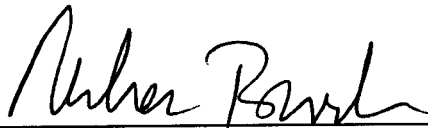
On October 2, 2007 at approximately 9:57 a.m., Special Agent (SA) Estela Clark read BRUNO his rights per Miranda in the English language, as witnessed by SA Lester McDaniel. BRUNO waived his Miranda Rights and agreed to speak without an attorney present. BRUNO admitted that he knew there were drugs in the vehicle, but did not know what type. BRUNO stated he was taking the vehicle to San Diego, California. BRUNO admitted he was being paid from \$500.00 to \$1000.00 US dollars upon delivery of the marijuana. BRUNO was subsequently transported to the Metropolitan Correctional Center. BRUNO is now pending federal prosecution.

Executed on 3 Oct 07 (date) at 9:40 AM (time).



Special Agent, US Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on 10/2/2007 in violation of Title 21, United States Code, Section(s) 952 + 960.



United States Magistrate Judge

10/3/2007 at 9:42 a.m.
Date/Time